

The Gazette of India

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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 16th May 1953 :—

Issue No.	No. and date	Issued by	Subject
114	S. R. O. 879, dated the 7th May 1953.	Election Commission, India.	Election Petition No. 311 of 1952.
115	S. R. O. 880, dated the 6th May 1953.	Ministry of Finance.	Non-application of section 91 B to the Standard Vacuum Refining Company of India, Limited, Bombay.
116	S. R. O. 881, dated the 8th May 1953.	Election Commission, India.	Election to the House of the People from the Kurnool Constituency.
117	S. R. O. 882, dated the 12th May 1953.	Ministry of Finance (Revenue Division).	Exemption of Palm Oil imported into India.
	S. R. O. 883, dated the 12th May 1953.	Ditto	Supersession of Notification of the Ministry of Finance (Revenue Division) No. 53 Customs, dated the 30th June 1951.
118	S. R. O. 916, dated the 14th May 1953.	Ministry of Law	Amendments made in the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1951.
119	S. R. O. 917, dated the 15th May 1953.	Ditto	Amendments made in the Representation of the People (Preparation of Electoral Rolls) Rules, 1950.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3**Statutory Rules and Orders Issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).****ELECTION COMMISSION, INDIA***New Delhi, the 14th May 1953*

S.R.O. 928.—It is hereby notified for general information that the disqualifications under clause (c) of section 7 and section 143 of the Representation of the People Act, 1951 (XLIII of 1951), incurred by the person whose name and address are given below, as notified under notification No. BR-P/52(7), dated the 2nd May, 1952, have been removed by the Election Commission in exercise of the powers conferred on it by the said clause and section 144 of the said Act respectively:—

Shri Devendra Prasad Singh, Village Ghaziapore, P.O. Sinha, District Shahabad.

[No. BR-P/52(72)/7003.]

P. N. SHINGHAL, Secy.

MINISTRY OF EXTERNAL AFFAIRS*New Delhi, the 13th May 1953*

S.R.O. 929.—In exercise of the powers conferred by section 8 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932) as extended to Chandernagore, the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the Ministry of External Affairs No. 167-Eur.1, dated the 21st April, 1953, namely:—

In the schedule to the said notification under the heading "1. Chandernagore proper bounded on" after the words "the West by the area under Chinsurah Police Station" the words "and Bhadreswar Police Station" shall be inserted.

(D. 2289-Eur.1/53.)

[No. 215-Eur-I.]

S. GUPTA, Under Secy.

MINISTRY OF STATES*New Delhi, the 16th May 1953*

S.R.O. 930.—In exercise of the powers conferred by section 2 of the Part C States (Laws) Act, 1950 (XXX of 1950), the Central Government hereby directs that the following amendments shall be made in the notification of the Government of India in the Ministry of States, No. S.R.O. 273, dated the 14th February 1951, namely:—

(a) after modification No. 5, the following modification shall be inserted, namely:—

"5A. In sub-section (1) of section 93, for the words "at the rate of three annas", the words "at a rate not exceeding three annas" shall be substituted."

(b) after modification No. 8, the following modification shall be inserted, namely:—

"9. In section 118A, for the words "equivalent in amount to fifteen percent" the words "not exceeding fifteen percent" shall be substituted."

[No. 83-J.]

S. K. AYANGAR, Asstt. Secy.

MINISTRY OF FINANCE**(Department of Economic Affairs)***New Delhi, the 12th May 1953*

S.R.O. 931.—In exercise of the powers conferred by sub-section (I) of section 5 of the Rehabilitation Finance Administration Act, 1948 (XII of 1948), read with clause (b) of sub-rule (1) of rule 2 of the Rehabilitation Finance Administration Rules, 1948, the Central Government hereby appoints the Director, Refugee Rehabilitation, and the Director of Industries, Government of West Bengal, Calcutta, as official members on the Regional Committee, Calcutta, reconstituted by the Government of India, in the Ministry of Finance Notification No. F. 10(16)-F.I/51, dated the 23rd August, 1951.

[No. F. 10(35)-F.I/52.]

New Delhi, the 15th May 1953

S.R.O. 932.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (X of 1949), and on the recommendation of the Reserve Bank of India, the Central Government hereby declares that in the case of a banking company which has been incorporated in the State of Travancore-Cochin and which has been confining its activities to that State, the provisions of sub-section (1) of section 24 of the said Act shall not apply until the 1st April 1954, in so far as such provisions require it to maintain in cash, gold or unencumbered approved securities, valued at a price not exceeding the current market price, an amount in excess of ten per cent. of the total of its demand and time liabilities in India. -

[No. F.4(212)-F.I/52.]

New Delhi, the 19th May 1953

S.R.O. 933.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (X of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of clause (1) of section 12 of the said Act shall not apply upto the 31st March 1954 to the Anthraper Bank Ltd., Shertallay.

[No. F.4(86)-F.I/53.]

N. C. SEN GUPTA, Dy. Secy.

MINISTRY OF FINANCE (REVENUE DIVISION)**CUSTOMS***New Delhi, the 23rd May 1953*

S.R.O. 934.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government hereby exempts medicinal contraceptives imported into India and falling under item No. 28A of the First Schedule to the Indian Tariff Act, 1934 (XXXII of 1934), from so much of the duty of customs leviable thereon under the said Act as is in excess of the duty of:—

(1) 37 $\frac{4}{5}$ per cent. *ad valorem* where the standard rate of duty is leviable; and

(2) 27 $\frac{3}{10}$ per cent. *ad valorem* where a preferential rate of duty is leviable.

[No. 36.]

E. RAJARAM RAO, Joint Secy.

ORDER*New Delhi, the 13th May 1953*

S.R.O. 935.—In exercise of the powers conferred by section 80A of the Indian Income-tax Act, 1922 (XI of 1922), the Central Government hereby makes the following further amendment in the Part B States (Taxation Concessions) Order, 1950.

In paragraph 6A of the said Order before the existing proviso the following proviso shall be inserted, namely:—

“Provided that where the total income of an assessee not being a company, includes any income chargeable under the head “salaries” as reduced by the deduction for earned income appropriate thereto, or any income chargeable under the head “Interest on securities”, or any income from dividends in respect of which, by virtue of section 49B of the Act, he is deemed himself to have paid income-tax imposed by the Act, the income-tax payable by the assessee on the part of his total income which consists of such inclusions shall be an amount bearing to the total amount of income-tax payable according to the rates applicable to his total income in the immediately preceding financial year, the same proportion as the amount of such inclusions bears to his total income. And where the total income of an assessee, not being a company, includes any income chargeable under the head “salaries” on which super-tax has been or might have been deducted under the provisions of sub-section 2 of section 18 of the Indian Income-tax Act, the super-tax payable, by the assessee on that portion of his total income which consists of such inclusion shall be an amount bearing to the total amount of super-tax payable according to the rates applicable to his total income in the immediately preceding financial year, the same proportion as the amount of such inclusion bears to his total of income”

[No. 30.]

A. K. ROY, Joint Secy.

MINISTRY OF COMMERCE AND INDUSTRY

CENTRAL TEA BOARD

New Delhi, the 16th May 1953

S.R.O. 936.—In exercise of the powers conferred by clause (v) of sub-section (3) read with sub-sections (4) and (5) of section 4 of the Central Tea Board Act, 1949 (XIII of 1949), the Central Government hereby nominates Dr M. B. Ghatge, Agricultural Marketing Adviser to the Government of India in the Ministry of Food and Agriculture, as a member of the Central Tea Board *vice* Dr. B. C. Sen.

[No. 94(1)Tea/Plant/52.]

S.R.O. 937.—In exercise of the powers conferred by sub-clause (a) of clause (ii) of sub-section (3) read with sub-sections (4) and (5) of section 4 of the Central Tea Board Act, 1949 (XIII of 1949), the Central Government hereby notifies that Mr. R. L. Hards of Messrs. James Warren and Company, Limited, Calcutta, has been re-nominated by the Indian Tea Association, with effect from the 19th May 1953 as a member of the Central Tea Board for a term of not exceeding three years.

[No. 94(1)-Plant/52.]

S. G. RAMACHANDRAN, Dy. Secy.

MINISTRY OF FOOD AND AGRICULTURE

(Agriculture)

New Delhi, the 12th May 1953

S.R.O. 938.—In pursuance of Clause ‘G’ of Section 4 of the Indian Central Coconut Committee Act, 1944 as amended by the Indian Central Coconut Committee (Amendment) Act, 1952, the Central Government is pleased to notify the appointment of the following members of the House of the People and the Council of States (as elected from amongst themselves) as the members of the Indian Central Coconut Committee for a term of three years commencing from the 1st April, 1953:—

HOUSE OF THE PEOPLE

1. Shri Kamal Krishna Das, 14-A, Raja Raj Krishana Street, Calcutta.
2. Shri P. T. Chacko, (Meena Chll) P. O. Muttam Palm, Kotta-Yam.

COUNCIL OF STATES

3. Shri K. C. George, “Fair Light”, University Road, Trivandrum.

[No. F. 2-56/52-Comm.II.]

New Delhi, the 15th May 1953

S.R.O. 939.—In pursuance of the powers conferred by clause (s) of section 4 of the Indian Oilseeds Committee Act, 1946, the Central Government are pleased to appoint the following Members of Parliament representing consumers of oilseed products (Nos. 1 to 4 have been elected by the House of the People and Nos. 5 and 6 by the Council of States from among themselves) to be members of the Indian Central Oilseeds Committee with effect from 1st April, 1953:—

1. Shri Mathura Prasad Mishra
2. Shri Digambar Singh.
3. Shri Vyankatrao Pirajirao Pawar.
4. Dr. Manik Chand Jatav-Vir.
5. Shri Nawab Singh Chauhan.
6. Shri R. S. Doogar.

[No. F.5-45/52-Com.I.]

New Delhi, the 18th May 1953

S.R.O. 940.—In exercise of the powers conferred by sub-section (1) of section 7 of the Indian Coconut Committee Act, 1944 (X of 1944) the Central Government has with effect from the 1st April, 1953, appointed Shri K. R. Damle, I.C.S., to be the President of the Indian Central Coconut Committee.

[No. F.2-28/Com.II-53.]

New Delhi, the 19th May 1953

S.R.O. 941.—In pursuance of the provisions of sub-section (K) of section 4 of the Indian Oilseeds Committee Act, 1946, the Central Government is pleased to re-nominate Mr. C. S. Pettit as a member of the Indian Central Oilseeds Committee with effect from 1st April, 1953.

[No. F.3-2/53-Com.I.]

S.R.O. 942.—In pursuance of the provisions of Section 4(X) of the Indian Cotton Cess Act, 1923 (XIV of 1923), the Central Government are pleased to re-appoint Shri Bharat Ram, 22, Curzon Road, New Delhi, to be an additional member of the Indian Central Cotton Committee, Bombay, with effect from 1st April 1953.

[No. F.1-2/53-Com.II.]

F. C. GERA, Asstt. Secy.

FOOD

ORDER

New Delhi, the 18th May 1953

S.R.O. 943.—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government hereby directs that no owner or the person in charge of a flour mill or a chakki shall manufacture or cause to be manufactured any fines (Malda, Rawa and Sooji) from indigenous wheat, by any means whatsoever:

Provided that the Central Government or the State Government may by general or special order exempt any person or class of persons from the operation of this Order, subject to such conditions as may be specified in the Order.

[No. PY.620(11)/53-54.]

R. S. KRISHNASWAMY, Director
General, Food and Joint Secy.

MINISTRY OF HEALTH

New Delhi, the 12th May 1953

S.R.O. 944.—The following draft of certain further amendments in the Drugs Rules, 1945, which it is proposed to make in exercise of the powers conferred by sections 12 and 33 of the Drugs Act, 1940 (XXIII of 1940), is published as required

by the said sections for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 16th August, 1953.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

Draft Amendment

In Schedule A to the said Rules,—

(a) In Form 20 for condition 4, the following condition shall be substituted, namely:—

“4. No drug in Schedule C(I) shall be sold, or stocked or exhibited for sale, or distributed unless the precautions considered necessary by the licensing authority for preserving the properties of the contents have been observed throughout the period during which it has been in the possession of the licensee.”

(b) In Form 21 for condition 3, the following condition shall be substituted, namely:—

“3. No drug to which this licence applies shall be sold, or stocked or exhibited for sale, or distributed unless the precautions considered necessary by the licensing authority for preserving the properties of the contents have been observed throughout the period during which it has been in the possession of the licensee.”

[No. F. 11-39/51-DS.]

S. DEVANATH, Under Secy.

MINISTRY OF TRANSPORT

(Office of the Director General of Shipping)

MERCHANT SHIPPING

Bombay, the 13th May 1953

S.R.O. 945.—In pursuance of sub-section (1) of section 150 of the Indian Merchant Shipping Act, 1923 (XXI of 1923), read with the Order of the Government of India in the Ministry of Transport No. 60-M.A.(5)/49, dated the 5th November, 1951, the Director General of Shipping hereby directs that the following further amendment shall be made in the notification of the Government of India in the late Department of Commerce No. 58-M.I(2)/35, dated the 27th March 1937, namely:—

In the list of ports under the heading “Ramnad District” in the schedule to the said notification the following port shall be added at the end, namely:—

“Rameswaram”.

[No. 50-SH(10)/49.]

P. R. SUBRAMANIAN,
for Director General of Shipping.

PORTS

New Delhi, the 19th May 1953

S.R.O. 946.—In pursuance of sub-section (2) of section 6 of the Calcutta Port Act, 1890 (Bengal Act III of 1890), it is hereby notified that in accordance with the provisions of section 16 of the said Act Sri A. H. Ford of M/s. Mackinnon Mackenzie & Co., Ltd., Calcutta, has been elected by the Bengal Chamber of Commerce and Industry to be a Commissioner for the Port of Calcutta *vice* Sri E. J. Pakes resigned.

[No. 9-PI(82)/53.]

New Delhi, the 19th May 1953

S.R.O. 947.—In pursuance of sub-section (2) of section 9 of the Madras Port Trust Act, 1905 (Madras Act II of 1905) it is hereby notified that in accordance with the provisions of section 13 of the said Act Shri Laldoss Govindoss has been elected by the Southern India Chamber of Commerce to be a Trustee of the Port of Madras vice Shri S. M. Patel resigned.

[No. 13-P(37)/53.]

T. S. PARASURAMAN, Dy. Secy.

MINISTRY OF WORKS, HOUSING AND SUPPLY

New Delhi, the 18th May 1953

S.R.O. 948.—In exercise of the powers conferred by section 22 of the Requisitioning and Acquisition of Immovable Property Act, 1952 (XXX of 1952), the Central Government hereby makes the following rules, viz.:—

1. **Short Title.**—These rules may be called the Requisitioning and Acquisition of Immovable Property Rules, 1953.

2. **Definitions.**—In these Rules,

(a) 'Act' means the Requisitioning and Acquisition of Immovable Property Act, 1952.

(b) 'Form' means a form appended to these rules.

(c) 'Section' and 'Sub-section' mean respectively a section or sub-section of the Act.

3. **Procedure to be followed by competent Authority for purposes of Section 3(1).**—A notice under clause (a) of sub-section (1) and order under clause (b) of sub-section (1) of section 3 of the Act shall be in Form 'A'.

4. **Order of Requisitioning.**—The order of requisition under sub-section (2) of section 3 of the Act and the notice under sub-section (1) of section 4 of the Act shall be issued in Form 'E'.

5. **Breaking open of locks on requisitioned property.**—Where the possession of a requisitioned property is not handed over in compliance with an order issued under Sub-section (1) of Section 4 of the Act and the premises are found locked, the competent authority or any other person authorised by it in writing in this behalf may break open the lock in the presence of two witnesses and take possession of the property.

Provided that:—

(i) before any such action is taken the competent authority shall satisfy itself that the order under sub-section (1) of Section 4 has been duly served on the party concerned and that the party is evading compliance with the order;

(ii) the powers under this rule shall not be exercised at any time after sunset or before sunrise; and

(iii) where possession is taken in pursuance of the powers conferred by this rule, an inventory of the articles found in the premises shall be made in the presence of two witnesses and such articles shall be stored in safe custody.

6. **Repairs to requisitioned premises.**—A notice under Sub-section (2) of section 5 of the Act shall be in Form 'F'. The time for execution of repairs to be specified in the notice shall be such as the competent authority may deem reasonable having regard to the nature of repairs and other circumstances of the case.

7. **Procedure to be followed in releasing the property.**—(1) For the purpose of Sub-section (2) of Section 6 the competent authority may, if it considers it necessary so to do, make or cause to be made by an officer empowered in this behalf by it, an enquiry to obtain information in respect of the following matters, namely,

(i) the name and address of the person from whom the property was requisitioned;

- (ii) the name and address of the person in possession of the property at the time the property was requisitioned;
 - (iii) the name of the person who has been receiving compensation;
 - (iv) whether any alternative accommodation was provided to the occupant when the property was requisitioned or whether any compensation was paid to him for vacating the property, or whether the occupants, if any, relinquished their claims for reoccupation of the property;
 - (v) whether the occupant was a *bonafide* tenant of the property or was an unauthorised occupant or has no claim in law for the restitution of the property;
 - (vi) whether the owner of the property on whom the requisitioning order was first served, had sold the property and if so to whom;
 - (vii) in case the property has been sold whether the owner has sold all rights in respect of the property;
 - (viii) whether there is any objection to the property being derequisitioned in favour of the owner from whom the property was requisitioned;
 - (ix) the state of repairs of property at the time of enquiry;
 - (x) whether any structure or articles belonging to Government have been erected or installed in the property and their value;
 - (xi) the condition of the property at the time of requisition and whether the property is in as good a condition as it was when possession thereof was taken subject to change caused by reasonable wear and tear or irresistible force;
 - (xii) the estimated cost of restoration; and
 - (xiii) any other matter that the competent authority may consider necessary for the purpose of specifying the person to whom possession of the property may be given.
- (2) Before issuing an order of release under sub-section (1) of section 6 of the Act, the authority to whom the powers of the Central Government have been delegated for this purpose, shall obtain the approval of the Central Government in the administrative Ministry concerned.
- (3) An order under sub-section (2) of section 6 shall be issued in Form 'G'.
- (4) A notice under sub-section (4) of Section 6 shall be in Form 'H'.
- 8. Acquisition of requisitioned property.**—A notice under sub-section (1) of section 7 of the Act calling upon the owner or any other person interested in a requisitioned property to show cause why the property should not be acquired, shall be in Form 'I'. A notice of actual acquisition shall be in Form 'J'.
- 9. Compensation.**—An authority to whom the powers of the Central Government have been delegated shall, as far as may be, associate with itself the local officer of the Central Government concerned with the property in fixing compensation under clause (a) of sub-section (1) of section 8, and obtain the approval of the Central Government in the administrative Ministry concerned.
- (2) Compensation for requisitioned property, other than agricultural land, shall be paid by the competent authority quarterly in arrears. In the case of agricultural land, the compensation shall be paid either annually or on release of the land, whichever is earlier. The compensation shall be paid either in cash or by cheque at the discretion of the competent authority.
- 10. Arbitration.**—(1) An arbitrator appointed under clause (b) of sub-section (1) of Section 8 shall complete the arbitration proceedings and give his award within 4 months.
- (2) An arbitrator shall take down the evidence of each witness, not ordinarily in the form of question and answer, but in that of a narrative and shall sign it.
- (3) Where before an arbitrator is able to finish the arbitration proceeding and make his award, a new arbitrator is appointed, the new arbitrator may deal with the evidence taken down by his predecessor as if such evidence had been taken down by him and may proceed with the arbitration proceedings from the stage at which his predecessor left it.
- (4) The costs of arbitration and award shall be in the discretion of the arbitrator who may direct to, and by whom, and in what manner, they or any part thereof shall be paid, and in case an appeal is preferred to the High Court, such costs and the costs of the appeal shall be in the discretion of the High Court, who may direct to, and by whom, and in what manner, they or any part thereof shall be paid.

11. **Appeals.**—(1) Appeals under section 10 shall be addressed to the Secretary to the Government of India in the administrative Ministry concerned with the requisitioned property. Where, however, the appeal relates to a property requisitioned in a Part 'C' State, the appeal shall be addressed to the Chief Commissioner, or, if there is no Chief Commissioner, to the Chief Secretary of that State.

(2) Every appeal shall contain the grounds of appeal and shall be accompanied by a copy of the order against which the appeal is preferred.

12. **Summoning of persons and witnesses and production of documents.**—An order under section 12 of the Act summoning and enforcing the attendance of any person and examining him on oath or requiring the discovery and production of any document shall be issued in Form 'B'. An order requisitioning public records from any court or office shall be issued in Form 'C', while an order issuing commissions for examination of witnesses shall be in Form 'D'.

13. **Inspection of premises.**—The competent authority or any officer, empowered in this behalf by such authority, by general or special order, shall not in exercise of the powers conferred by section 14, enter upon any property after sunset or before sunrise.

FORM 'A'

NOTICE AND ORDER

WHEREAS, I, _____ being the competent authority
(name and designation)
under the Requisitioning and Acquisition of Immovable Property Act, 1952 (XXX of 1952) am of opinion that the property described in the Schedule hereto annexed is needed/or likely to be needed for a public purpose, to wit, * _____, being a purpose of the Union and that the said property should be requisitioned;

* Here mention the purposes for which the property shall be requisitioned.

Now, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 3 of the said Act, I, as the competent authority hereby call upon _____, being the owner of the said property to show
name of person person in possession

cause within fifteen days of the date of service of this instrument upon him why the said property should not be requisitioned and I further direct that neither the owner of the said property nor any other person shall without my permission dispose of or structurally alter the said property or let it out to a tenant until the expiry of two months from the date of service of this instrument upon him.

† Strike off the irrelevant words.

SCHEDULE

Competent Authority.

Signature.

Designation.

To

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.....
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FORM 'B'

(See Rule 12)

SUMMONS TO WITNESS

Case No. _____ of 195 .

In the office _____

Proposed requisitioning acquisition fixation of compensation in respect of _____

To

.....
.....

WHEREAS your attendance is required to give evidence/produce the documents described in the list enclosed in the above case, you are hereby required (personally) to appear before the undersigned on the _____ day of _____, 195 , at _____ O'Clock in the forenoon/afternoon and to bring with you (or to send to this office) the said documents.

In case you fail to comply with this order without lawful excuse, you will be subject to the consequence of non-attendance laid down in Rule 12 of Order XVI of the C.P.C.

Given under my hand and the seal of this office this _____ day of 195 .

Competent Authority/Arbitrator.

SEAL

FORM 'C'

(See Rule 12)

REQUISITION FOR PUBLIC RECORD

To

Please arrange to send per bearer/through your clerk on _____, the public record(s) mentioned below for my examination in connection with the proposed requisitioning/acquisition/fixation of compensation in respect of _____

Given under my hand and Seal of this Office, this _____ day of 195 .

Details of record.

- 1.....
- 2.....

Competent Authority/Arbitrator.

SEAL

FORM 'D'

(See Rule 12)

FORM OF COMMISSION

IN THE MATTER OF _____

It is ordered as follows:—

1. A Commission may issue directed to _____ of _____ for the examination upon interrogatories or *viva voce* before the aforesaid Commissioner of the following witnesses:

- (1)
- (2)
- (3)

2. In the event of any witness on his examination, cross-examination or re-examination producing any book, document, letter, paper, or writing, and refusing for good cause to be stated in his deposition, to part with the original thereof, then a copy thereof, or extract therefrom certified by the Commissioner to be a true and correct copy or extract shall be annexed to the witness's deposition.

3. Each witness to be examined under the commission shall be examined on oath, affirmation or otherwise in accordance with his religion by or before the said Commissioner.

4. The depositions to be taken under and by virtue of the said commission shall be subscribed by the witness or witnesses and by the Commissioner.

5. The interrogatories, cross-interrogatories and deposition, together with any documents referred to therein or certified copies thereof or extracts therefrom shall be sent to the competent authority/arbitrator on or before the _____ day of _____, or such further or other day as may be ordered by registered post.

Dated this _____ day of _____ 19 .

Competent Authority/Arbitrator.

FORM 'E'

ORDER AND NOTICE

WHEREAS by a notice issued or deemed to be issued under sub-section (1) of section 3 of the Requisitioning and Acquisition of Immovable Property Act, 1952 (XXX of 1952), _____ (enter name of the person) was called upon to show cause within the period specified therein why the property specified in the Schedule hereto annexed should not be requisitioned;

AND WHEREAS the said period has expired and no cause has been shown against the said notice or/the cause shown against the said notice has been considered;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (2) of section 3 and by section 4 of the said Act I, _____ (name) _____ (Designation) being a competent authority under the said Act having been satisfied that it is necessary or expedient so to do, do hereby requisition the said property and I hereby order the said _____ (enter the name) to surrender or deliver possession thereof to _____ (enter Designation of officer) within thirty days of the service of this notice.

If the said _____ (enter the name) refuses or fails to comply with the above order, it shall be lawful for me to take possession of the property and for that purpose to use such force as may be necessary.

SCHEDULE

Signature.

Designation.

To

.....

.....

.....

FORM 'F'

ORDER

WHEREAS the premises known as _____ have been requisitioned under section 3 of the Requisitioning and Acquisition of Immovable Property Act, 1952 (XXX of 1952) or are deemed to have been requisitioned under that section, by virtue of the provisions of section 24 of the said Act.

AND WHEREAS the said premises are in need of repairs specified in the Schedule hereto appended:

NOW, THEREFORE, in exercise of the powers conferred by sub-section (2) of section 5 of the said Act, I, _____, (enter name) _____, (enter designation) _____,

being the competent authority, under the said Act do hereby order _____, the landlord of the said premises to execute the repairs specified in the schedule, being repairs which are necessary and are usually made by landlords in the locality in which the premises are situated within a period of _____ from the date of service of this notice.

If the said landlord fails to execute the repairs specified in this order within the aforesaid period, I shall cause the same to be executed at his expense and the cost thereof shall, without prejudice to any other mode of recovery be deducted from the compensation payable to him.

SCHEDULE

Signature.

Designation.

To

.....

FORM 'G'

ORDER

WHEREAS the property specified in the Schedule hereto annexed was requisitioned by the order of the _____, No. _____, dated _____, with effect from the _____ until further orders of the Central Government.

AND WHEREAS the Central Government have now decided that the said property shall be released from requisition with effect from _____.

NOW, THEREFORE, in exercise of the powers conferred by sub-section (2) of section 6 of the Requisitioning and Acquisition of Immovable Property Act, 1952 (No. XXX of 1952), I, _____, (enter name and designation) _____, being the competent authority hereby specify

Mr./Messrs. _____

as the person/persons to whom possession of the said property shall be given.

SCHEDULE

Signature.

Designation.

To

.....

FORM 'H'

NOTICE

WHEREAS the property specified in the Schedule hereto annexed was requisitioned by the order of the _____, No. _____, dated _____, with effect from _____ until further orders of the Central Government.

AND WHEREAS the Central Government have decided that the said property shall be released from requisition;

AND WHEREAS, in exercise of the powers conferred by sub-section (2) of section 6 of the Requisitioning and Acquisition of Immovable Property Act 1952 (No. XXX of 1952), I, _____, (name) _____, (designation) _____, being a competent authority under the said Act have specified Shri _____ as the person to whom possession of the said property shall be given;

AND WHEREAS, the said Shri _____ cannot be found and has no agent or other person empowered to accept delivery on his behalf;

Now, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, I, _____ (name and designation) do hereby declare that the said property is released from requisition.

SCHEDULE

Signature.

Designation.

To _____

FORM 'T'

NOTICE

WHEREAS, the Central Government is of opinion that the property described in the Schedule hereto annexed which is subject to requisition should be acquired for a public purpose namely _____

Now, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 7 of the said Act, the Central Government do hereby call upon Shri _____ being the owner of the said property to show cause within fifteen days of the date of service of this notice upon him why the said property should not be acquired.

SCHEDULE

Signature.

Designation.

(SEAL)

To _____

FORM 'J'

NOTICE

WHEREAS a notice under the proviso to sub-section (1) of Section 7 of the Requisitioning and Acquisition of Immovable Property Act, 1952 (No. XXX of 1952), was issued by the Central Government to Shri _____ being the owner of the said property calling upon him to show cause within the period specified therein why the said property should not be acquired;

AND WHEREAS, the said period has expired and no cause has been shown against the said notice the cause shown against the said notice has been considered;

Now, THEREFORE, in exercise of the powers of sub-section (1) of section 7 of the said Act, the Central Government having been satisfied that it is necessary so to do, do hereby acquire the said property.

SCHEDULE

Signature.

Designation.

[No. 1654-EII/53.]

K. K. SHARMA, Dy. Secy.

MINISTRY OF LABOUR

CORRIGENDUM

New Delhi, the 13th May 1953

S.R.O. 949.—In the notification of the Government of India in the Ministry of Labour No. S.R.O. 540, dated the 17th March, 1953, published on page 337 of the Gazette of India, dated the 21st March, 1953, in item 2 of the Schedule, for the words "compensation or gratuity" the words "compensation and gratuity" shall
or

be substituted.

[No. LR.2(396)]

S.R.O. 950.—The following draft of certain further amendments to the Industrial Disputes (Central) Rules, 1947, which it is proposed to make in exercise of the powers conferred by section 38 of the Industrial Disputes Act, 1947 (XIV of 1947), is published as required by sub-section (1) of the said section for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 13th July 1953. Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

Draft Amendments

In rule 45 of the said Rules, in sub-rule (1) for the words "Such office-bearers shall be elected every year" the words "Such office-bearers other than the Chairman shall be elected every year" shall be substituted.

[No. LR. 1(70)]

S.R.O. 951.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the award of Shri Salim M. Merchant, Industrial Tribunal, Bombay, in respect of the application under section 33A of the said Act against the Barsi Light Railway Company Limited, preferred by Shri Babu Narayan Gund, an employee of the Barsi Light Railway Company Limited.

BEFORE SHRI SALIM M. MERCHANT, INDUSTRIAL TRIBUNAL, BOMBAY.

COMPLAINANT (IT-CG) No. 6 of 1952 (*In Reference IT-CG No. 5 of 1952*).

Shri Babu Narayan Gund—*Complainant*.

Vs

The Barsi Light Railway Co. Ltd., Kurduwadi—*Respondents*.

In the matter of a complaint under Section 33-A of the Industrial Disputes Act of 1947.

Shri K. N. Joglekar, President. Barsi Light Railwaymen's Union, for the Complainant.

Shri J. D. Bhote, Agent and General Manager, for the Barsi Light Railway Co. Ltd.

AWARD

During the pendency of the industrial dispute between the Barsi Light Railway Co. Ltd., Kurduwadi, and the Barsi Light Railwaymen's Union, Kurduwadi, being Ref. (IT-CG) No. 5 of 1952, the above named complainant filed this complaint on 13-12-1952, purporting to be under Section 33-A of the Industrial Disputes Act of 1947. His complaint is that during the pendency of the proceedings in this industrial dispute, the management had with effect from 29-10-1952 demoted him from the post of a keyman to that of a gangman, without having first obtained the written permission of the Tribunal as required by Section 33 of the Industrial Disputes Act of 1947.

2. Upon receipt of the complaint the usual notices were issued upon the parties and the matter was taken up for hearing on 27-4-1953, on which date parties filed the terms of settlement that had been reached between them on

this complaint under which the Company has agreed to make the complainant permanent in the post of keyman with effect from 1-4-1953. Upon this settlement being reached, the complainant and the Union have applied for permission to withdraw the complaint to which the Company has no objection. A copy of the terms of settlement are annexed hereto and marked Annexure 'A'. I therefore grant permission to the complainant to withdraw this complaint. No other direction is therefore necessary.

3. This award is directed to be submitted to Government. No order as to costs.

BOMBAY:
The 30th April, 1953.

(Sd.) SALIM M. MERCHANT,
Industrial Tribunal.
(Sd.) K. R. WAZKAR, *Secretary*.

Annexure A

BEFORE SHRI SALIM M. MERCHANT, INDUSTRIAL TRIBUNAL, BOMBAY.

COMPLAINT (IT-CG) No. 6 of 1952 (In Reference IT-CG No. 5 of 1952)

Babu Narayan Gund—Complainant.

Vs.

The Barsi Light Railway Co. Ltd., Kurduwadi—Respondents.

May It Please Your Honour,

We the parties to the above complaint have agreed that the Company shall with effect from 1-4-1953 make the complainant permanent as a Key-Man in the service of the Company. The Union therefore applies that the complainant may be allowed to withdraw this complaint to which the Company has no objection.

Dated at Bombay this 27th day of April 1953.

Left Hand Thumb impression of Babu Narayan Gund (Complainant).

For & On Behalf of
The Barsi Light Railway Co. Ltd.
(Sd.) J. D. BHOTE,

Agent & General Manager.

For & On Behalf of
The Barsi Light Railwaymen's Union.
(Sd.) K. N. JOGLEKAR, *President*.

Before me

(Sd.) SALIM M. MERCHANT, 27-4-1953,
Industrial Tribunal.

[No. LR.2(373).]

S.R.O. 952.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award (Part II) in the industrial dispute between the Barsi Light Railway Company Limited and the Barsi Light Railwaymen's Union.

BEFORE SHRI SALIM M. MERCHANT, INDUSTRIAL TRIBUNAL, BOMBAY

Reference (IT-CG) No. 5 of 1952.

ADJUDICATION.

Between

The Barsi Light Railway Company Limited

And

The Barsi Light Railwaymen's Union

In the matter of a reference under Section 10(2) of the Industrial Disputes Act of 1947.

Shri J. D. Bhote, Agent and General Manager, for the Barsi Light Railway Co. Ltd.

Shri K. N. Joglekar, President, Barsi Light Railwaymen's Union, for the workmen.

Shri P. S. Doraiswami, Assistant Director, Railway Board, New Delhi.

Shri K. S. Row, Personnel Officer, Transportation, Central Railway.

AWARD—PART II

My Award—Part I—in the above reference was made on 10-3-1953, in terms of the settlement reached between the parties at Kurduwadi on 7-3-1953 on demands Nos. 3, 4, 5, 6 and 7 forming the subject matter of this reference. Thereafter, the outstanding demands Nos. 1, 2 and 8 were fixed for hearing at Bombay on 8-4-1953, when Shri Bhote for the Company and Shri Joglekar for the Union applied for an adjournment to negotiate further for a settlement, on the said outstanding demands. The hearing was therefore adjourned to 24-4-1953 at Bombay, when Shri P. S. Doraiswami, Assistant Director, Railway Board, representing the Railway Board, New Delhi, and Shri K. S. Row, Personnel Officer, Transportation, representing the Central Railway, were also present. On 24-4-1953, 25-4-1953 and 27-4-1953 negotiations were carried on between the parties with my assistance and I am glad to state that on each of the three outstanding demands the parties were able to reach a settlement. The terms of settlement before they were finally drawn up were shown to Shri P. S. Doraiswami and Shri K. S. Row. The terms of settlement are annexed hereto and marked Annexure 'A' and parties have prayed that I should make an award in terms thereof. The terms of settlement appear to me to be fair and reasonable. I therefore make an award on demands Nos. 1, 2 and 8 in terms of the settlement reached between the parties.

3. I may here state that after the usual notices were issued intimating to the workmen of this railway that this dispute had been referred to adjudication and inviting the Union and the workmen to file their statements of claim, I received besides statement of claim filed by the Barsi Light Railwaymen's Union, individual statements of claim from (1) Shri Bali Bhiwa Bagal, (2) Shri Lal Allauddin, (3) Shri Bali Sakhararam, (4) Shri K. D. Risbood and (5) Shri H. C. Joshi. The statements filed by Shri Bali Bhiwa Bagal and Shri Lal Allauddin relate to their demotions which took place in 1946 and 1947, respectively. The statement of Shri Bali Sakhararam refers to his resignation from service about two years ago. The statement of Shri K. D. Risbood relates to a claim for wages for a period during 1947 when he was suspended from service. Shri H. C. Joshi is a school teacher and he has applied for a higher scale of pay being fixed for him. The claims of none of these workmen are covered by the terms of this reference and they cannot therefore be considered by me. However, at the hearing at Kurduwadi on 7-3-1953, Shri Bhote, the General Manager of the Company, offered to reconsider the cases of (1) Shri Bali Bhiwa Bagal, (2) Shri Lal Allauddin and (3) Shri H. C. Joshi, along with the cases of the other workmen referred to in the terms of settlement on demand No. 6 herein.

4. I may further state that during the pendency of these proceedings in this industrial dispute two complaints under Section 33-A of the Act, were filed by two workmen concerned in this dispute. A settlement has been reached in one of the complaints, Complaint (IT-CG) No. 6 of 1952, and I have made a separate award on that complaint. The other complaint, Complaint (IT-CG) No. 5 of 1952, stands adjourned to 6-5-1953 as parties are negotiating for a settlement.

5. I cannot close this award without expressing my appreciation of the manner in which all the parties to the dispute, and particularly Shri J. D. Bhote, Agent and General Manager of the Railway, and Shri K. N. Joglekar, President of the Union, made a determined effort to reach a settlement. I may also state that I received considerable assistance in the successful settlement of this dispute from Shri P. S. Doraiswami, Assistant Director, Railway Board, Ministry of Railway, and Shri K. S. Row, Personnel Officer, Transportation, Central Railway. My special thanks are due to Shri K. R. Wazkar, who acted as Secretary to the Tribunal. His willing assistance was forthcoming at every stage of the proceedings in this dispute and the credit for the settlement is, in no small measure, due to him.

6. This award is directed to be submitted to Government. No order as to Costs.

(Sd.) S. M. MERCHANT,
Industrial Tribunal.

(Sd.) K. R. WAZKAR, Secretary
BOMBAY;

The 30th April 1953.

Annexure A

BEFORE SHRI SALIM M. MERCHANT, INDUSTRIAL TRIBUNAL, BOMBAY

*Reference (IT-CG) No. 5 of 1952***ADJUDICATION***Between*

THE BARSİ LIGHT RAILWAY COMPANY LTD., KURDUWADI

And

THE BARSİ LIGHT RAILWAYMEN'S UNION, KURDUWADI.

May it Please Your Honour,

We the parties to the dispute have come to the following settlement on the outstanding demands Nos. 1, 2 and 8 and pray that an award be made in terms thereof:—

TERMS OF SETTLEMENT*Demand**Settlement*

1. Implementation of the C. P. C. scales application agreement made between the Union and the Administration and accordingly fixation of the Running Staff in the 'B' grade scales with effect from 1-1-1947, the date decided by the Railway Board and in compliance with our Joint Meeting dated 11-4-1950.

1. Without prejudice to the Union's contention that all Guards and Drivers working in the Barsi Light Railway are entitled to classification and fixation into the 'B' scale of pay and allowances applicable to Guards and Drivers in Government Railways, it is agreed by and between the parties in settlement of demand No. 1 as follows:—

(1) That the 'C' scale of pay and allowances applicable to Guards and Drivers in Government Railways, shall apply to Guards and Drivers of this Railway.

(2) That the demand of the Union that C. P. C. scales of pay for the Running Staff of the Barsi Light Railway be made applicable from 1-4-1947 is settled on the following basis:—

(a) That each guard and driver at present in the service of the Barsi Light Railway shall be paid basic pay with effect from 1-4-1953 as stated in statements I and II annexed hereto. They shall also draw allowances prescribed for 'C' scale guards and drivers on Government Railways.

(b) That for the period between 1-4-1947 and 31-3-1953 each guard and driver shall be paid an amount equivalent to 4 months' total emoluments drawn by him for the month of April 1953.

Shunters, 1st grade Firemen and 2nd grade Firemen (agwallas) shall be paid compensation equivalent to 2 months' total emoluments drawn by them for the month of April 1953.

(3) With regard to those guards and drivers who have been parties to this dispute but who have now ceased to be in the service of the Company due to normal attrition or death the Company shall pay each such guard or driver or the heirs, executors and administrators of the deceased guard or driver, in full settlement of this demand an amount equivalent to 2 months' total emolument calculated on the last full month's emoluments earned by such guard or driver.

(4) The amounts due to each member of the Running Staff under the above terms of settlement shall be paid to them by 15-6-1953.

Demand

2. Implementation of the the Hours of Employment Regulation application agreement by giving full effect to the New Hours of Employment Regulations (Rajadhyaksha Award) as per the Railway Board's Circular No.E(Adj)49/8 dated 16th February 1950 and No. E. (Adj) 50/3, dated 26th March 1951.

Settlement

2. Without prejudice to the claim of the Union to have the full benefit of the Hours of Employment Regulations 1951 and without prejudice to the contention of the Barsi Light Railway Administration that the Hours of Employment Regulations 1951 do not apply *ipso facto* to the Barsi Light Railway Co., Ltd.

And in view of the fact that the Barsi Light Railway Co. Ltd., is to be acquired by the Government of India from 1-1-1954 and in any case as the full and proper implementation of the Hours of Employment Regulations 1951 cannot practically be effected during the short span of the remaining 7 months at the disposal of the present Barsi Light Railway Company Administration.

It is hereby agreed by and between the parties in settlement of Demand No. 2 herein that

- (1) The Barsi Light Railway administration shall give regular weekly off to all their employees other than the excluded staff;
 - (2) The Barsi Light Railway Administration shall engage the additional permanent staff mentioned in statement III attached hereto with effect from 15-5-1953 to ensure that the staff get proper rest and
 - (3) The Barsi Light Railway Administration will pay over-time to drivers guards, shunters, Firemen I grade and Fireman II grade at time and a half for any work done in excess of 9 hours work in a day. The same rate of over-time shall also apply to the other staff of the Railway, not governed by the Factories Act.
8. Ashadi Bonus to all employees for the Record Ashadi Fair Work done in 1951.
8. In view of the settlement reached upon the rest of the demands under this reference, this demand is withdrawn by the Union.

Dated at Bombay this 27th day of April 1953.

For the Barsi Light Railwaymen's Union

For the Barsi Light Railway Co. Ltd.,

K. N. JOGLEKAR, *President.*

J. D. BHOTE,

Agent and general Manager

Before me.

SALIM M. MERCHANT,
Industrial Tribunal.

*STATEMENT I**GUARDS*

<i>Names</i>	<i>Basic Pay as on 1-4-1953.</i>
	<i>Rs.</i>
Shri B. R. Surve	170 0 0
Shri D. G. Sule	170 0 0
Shri R. B. Kopkar	160 0 0
Shri K. Ramdas	145 0 0
Shri V. S. Buchke	145 0 0
Shri V. N. Ralegaonkar	135 0 0
Shri B. D. Amolik	130 0 0
Shri M. A. Fernandez	120 0 0
Shri N. S. Gokhale	120 0 0
Shri J. Fernandez	120 0 0
Shri G. B. Joshi	112 0 0
Shri N. R. Ghogardhar	112 0 0
Shri M. H. Baig	112 0 0

<i>Names</i>	<i>Basic Pay as on 1-4-1953</i>
	Rs.
Shri V. V. Pillay	100 0 0
Shri R. G. Hukeri	100 0 0
Shri G. M. Pathan	100 0 0
Shri P. G. R. Pillay	100 0 0
Shri M. V. Naidu	100 0 0
Shri R. K. Kulkarni	100 0 0

For the Barsi Light Railway Co. Ltd.,

J. D. BHOTE,

Agent & General Manager.

For the Barsi Light Railwaymen's Union.

K. N. JOGLEKAR,

President.

STATEMENT II

DRIVERS

<i>Name</i>	<i>Basic Pay as on 1-4-1953.</i>
	Rs.
Shri Mohmed Yakub	210 0 0
Shri Sk. Ahmed Sk. Ismail	210 0 0
Shri M. G. Johnstone	210 0 0
Shri Mahibub Sk. Lal	210 0 0
Shri Mahadu Sambhoo	185 0 0
Shri Shankar Rambhau	185 0 0
Shri Babu Nabi	155 0 0
Shri Kadar Turupsha	145 0 0
Shri B. B. Jagtap	145 0 0
Shri E. J. Coutinho	145 0 0
Shri Syed Sherfuddin	145 0 0
Shri Mohmed Mehtab	145 0 0
Shri Maruti Tukaram	145 0 0
Shri Mira Abbas	135 0 0
Shri Gafoor Maktum	135 0 0
Shri Balu Genu	135 0 0
Shri Subhan Narayan	135 0 0
Shri C. S. Bidari	120 0 0

For the Barsi Light Railway Co. Ltd.,

J. D. BHOTE,

Agent and General Manager.

For the Barsi Light Railwaymen's Union.

K. N. JOGLEKAR,

President.

STATEMENT III

Categories	Number of Posts
Pointsmen	7
General Clerks	3
Gate-men	3
Train Examining Staff	4
Signallers	2
Watchmen	2
	<hr/> 21

For the Barsi Light Railway Co. Ltd.,

J. D. BHOTE,

Agent and General Manager.

For the Barsi Light Railwaymen's Union

K. N. JOGLEKAR, President.

[No. LR.2(373).]

P. S. EASWARAN, Under Secy.

New Delhi, the 14th May 1953

S.R.O. 953.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (XIX of 1952) the Central Government hereby appoints Shri J. Benjamin, Superintendent, Accounts Office, Employees' Provident Fund, Bombay, to be an Inspector for the whole of that State for the purposes of the said Act and of any Scheme made thereunder in relation to factories engaged in a controlled industry or in an industry connected with a mine or an oilfield.

[No. P. F. 516(130)]

New Delhi, the 16th May 1953

S.R.O. 954.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (XIX of 1952), the Central Government hereby appoints Shri N. Kochukrishnan, Officiating Labour Commissioner, Trivandrum, to be an Inspector for the whole of the State of Travancore-Cochin for the purposes of the said Act and of any scheme made thereunder in relation to factories engaged in a controlled industry or in an industry connected with a mine or an oilfield, vice Shri M. K. Devassy, on leave.

[No. PF.514(136).]

New Delhi, the 18th May 1953

S.R.O. 955.—It is hereby notified for general information that in pursuance of the provisions of paragraph 20 of the Employees' Provident Funds Scheme, 1952, made under section 5 of the Employees' Provident Funds Act, 1952 (XIX of 1952), the Central Government has appointed with effect from the 1st May, 1953, Shri N. Kochukrishnan, Officiating Labour Commissioner, Travancore-Cochin, to be the Regional Commissioner for the whole of that State to work under the General control and superintendence of the Central Commissioner, vice Shri M. K. Devassy, on leave.

[No. PF. 516(136).]

TEJA SINGH SAHNI, Under Secy.

New Delhi, the 19th May 1953

S.R.O. 956.—In exercise of the powers conferred by section 73-F of the Employees' State Insurance Act, 1948 (XXXIV of 1948), the Central Government hereby exempts the Workshops attached to the College of Engineering, Poona, from the payment of the employer's special contribution leviable under Chapter V-A of the said Act, for a period of one year in the first instance.

[No. SS.138(29).]

K. N. NAMBIAR, Under Secy.

New Delhi, the 19th May 1953

S.R.O. 957.—In pursuance of the provisions of clause 27 of the Bombay Dock-Workers (Regulation of Employment) Scheme, 1951, and in supersession of the notification of the Government of India in the Ministry of Labour No. S.R.O. 684, dated the 7th April 1952, the Central Government hereby appoints an Appeal Tribunal consisting of the President, Industrial Court, Bombay, who shall be the sole member of the said Tribunal.

[No. Fac.73(26).]

S. V. JOSHI, Dy. Secy.

